

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 IO-13 NIC-01 ACDA-19 DRC-01

SSO-00 NSCE-00 INRE-00 USIE-00 CIAE-00 DODE-00 PM-07

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

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FM USMISSION BERLIN

TO AMEMBASSY BONN IMMEDIATE

INFO SECSTATE WASHDC IMMEDIATE 2370

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L BERLIN 1562

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, RU

SBUJECT: SOVIETS REVERSE POSITION ON HESS' MEDICAL EXAMINATION

REF: A. BERLIN 1543

B. BERLIN 1525

1. SUMMARY: IN SUDDEN REVERSAL, SOVIET PRISON
AUTHORITIES HAVE TOLD ALLIES THAT THEY WILL NOT PERMIT
HESS TO COMPLETE QUADRIPARTITELY AGREED TWO-STAGE
MEDICAL EXAMINATION SEPTEMBER 10. FRENCH (CHAIRMAN) PROTOCOL
OFFICER IS TO DELIVER ORAL STATEMENT TO SOVIET EMBASSY
COUNTERPART AFTERNOON OF SEPTEMBER 7 STRESSING THAT
WHILE ALLIES ARE PREPARED TO LISTEN TO ANY VIEWS ON
MEDICAL DESIRABILITY OF TESTS SOVIET DOCTOR MAY WISH
TO PRESENT TO HIS COLLEAGUES, ALLIES CONSIDER THAT
ORIGINAL QUADRIPARTITE AGREEMENT ON TESTS REMAINS
VALID. DEPENDING UPON REACTION OF SOVIET EMBASSY
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TO THIS APPROACH, WE MAY WISH TO SUGGEST SLIGHT

POSTPONEMENT OF REMAINING TESTS: TO RECOMMEND FURTHER APPROACH TO SOVIETS AT HIGHER LEVELS: OR TO RECOMMEND THAT WE GO AHEAD ON BASIS OF EXISTING QUADRIpartite AGREEMENT.
END SUMMARY.

2. WESTERN GOVERNORS INFORMED ACTING SOVIET GOVERNORS AT REGULAR SPANDAU GOVERNORS' MEETING MORNING OF SEPTEMBER 6 THAT THEIR DOCTORS WERE ENCOURAGED BY RESULTS OF INITIAL TESTS ON HESS SEPTEMBER 4 BUT CONSIDERED THAT MEDICAL PRUDENCE REQUIRED THAT FULL SERIES OF TESTS ENVISAGED IN SIGNED MINUTES OF AUGUST 31 GOVERNORS' MEETING AND JULY 24 AND AUGUST 29 QUADRIpartite DOCTORS' MEETINGS BE CARRIED OUT. VOITOV REPORTED THAT SOVIET DOCTOR CONSIDERED THAT, BECAUSE SEPTEMBER 4 TESTS WERE NEGATIVE, THERE WAS NO LONGER MEDICAL REQUIREMENT FOR FULL SERIES TO BE COMPLETED, BUT HE ACCEPTED THAT THERE WAS OUTSTANDING QUADRIpartite AGREEMENT ON SUBJECT AND THAT SECOND SERIES COULD PROCEED ON SEPTEMBER 10. EARLY AFTERNOON OF SEPTEMBER 6, HOWEVER, VOITOV INFORMED WESTERN GOVERNORS BY TELEPHONE THAT HIS AUTHORITIES HAD DECIDED THERE WAS NO LONGER NEED FOR TESTS AND THAT TESTS WOULD NOT TAKE PLACE. VOITOV CONFIRMED THIS POSITION AT SPECIAL GOVERNORS MEETING CALLED BY HIM SEPTEMBER 7 AND REFUSED TO SIGN MINUTES OF SEPTEMBER 6 MEETING.

3. POLADS CONCLUDED SEPTEMBER 7 THAT TWO ISSUES ARE INVOLVED: SANCITY OF FOUR-POWER AGREEMENTS, AND MEDICAL QUESTION OF WHETHER TESTS NEED TO BE COMPLETED. SOVIETS HAVE AGREED THAT CERTAIN SPECIFIED EXAMINATIONS OF DIGESTIVE TRACT WERE REQUIRED AND THAT TESTS WOULD BE CARRIED OUT IN TWO STEPS, FIRST STEP ON SEPTEMBER 4 AND SECOND ON SEPTEMBER 10 AGREEMENT IS SET FORTH CLEARLY IN WORDS DRAFTED BY SOVIETS THEMSELVES IN SIGNED MINUTES OF AUGUST 31 GOVERNORS' MEETING. WHILE FIRST SET OF TEST WAS ENCOURAGING, BARIUM ENEMA HAS NOT YET BEEN ADMINISTERED, POINT OF PRINCIPLE WHICH HAS WIDER APPLICATION IN BERLIN MATTERS THAT SPANDAU AFFAIRS IS THUS RAISED AS TO WHETHER
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QUADRIpartite AGREEMENT CAN BE UNILATERALLY MODIFIED. ON OTHER HAND, IF SOVIET DOCTOR CAN PRESENT PERSUASIVE MEDICAL REASONS TO HIS COLLEAGUES AS TO WHY TESTS CAN NOW SAFELY BE TERMINATED, WE WOULD BE PREPARED TO FOREGO SECOND STAGE OF EXAMINATION.

4. MISSION ACCORDINGLY INSTRUCTED FRENCH (CHAIRMAN) PROTOCOL OFFICER TO MAKE FOLLOWING ORAL STATEMENT TO SOVIET

EMBASSY ON BEHALF OF THREE LATE AFTERNOON OF SEPTEMBER 7:

QUOTE: WE UNDERSTAND THAT THE SOVIET ACTING SPANDAU GOVERNOR HAS TOLD HIS COLLEAGUES AT A SPECIAL MEETING FRIDAY THAT THE SOVIET AUTHORITIES WILL NOT ALLOW A SECOND SERIES OF TESTS TO BE GIVEN HESS AT THE BRITISH MILITARY HOSPITAL SEPTEMBER 10. THE FOUR POWERS HAVE AGREED TO EXAMINATIONS OF HESS TO BE CARRIED OUT IN TWO STEPS, ONE ON SEPTEMBER 4 AND ONE ON SEPTEMBER 10. THIS AGREEMENT IS RECORDED IN THE MINUTES OF THE AUGUST 31 SPANDAU GOVERNORS' MEETING AND WAS CONFIRMED AGAIN AT THE GOVERNORS' MEETING OF SEPTEMBER 6. THE FIRST TESTS WERE ENCOURAGING, BUT THE CONSIDERED JUDGMENT OF OUR DOCTORS IS THAT IT WOULD BE MEDICALLY PRUDENT TO COMPLETE THE FULL SERIES SEPTEMBER 10 AS PREVIOUSLY AGREED. IF THE SOVIET DOCTOR HAS A DIFFERENT MEDICAL VIEW HE SHOULD PRESENT THAT VIEW TO HIS COLLEAGUES. IF THE FOUR DOCTORS MODIFY THEIR ORIGINAL POSITION THAT TWO SETS OF TESTS SHOULD BE ADMINISTERED, WE WOULD BE PREPARED TO FOREGO THIS SEPTEMBER 10 SERIES. IN THE ABSENCE OF AGREEMENT BY THE FOUR DOCTORS, HOWEVER, IT IS OUR VIEW THAT THE ORIGINAL QUADRIPARTITE AGREEMENT REMAINS VALID AND WE WOULD PROPOSE TO ACT ACCORDINGLY. UNQUOTE.

5. COMMENT: SITUATION NOW APPEARS EXTREMELY FLUID. GIVEN BACKGROUND OF POOR COMMUNICATION AND APPARENT DIFFERENCES OF OPINION BETWEEN SOVIET EMBASSY AND SOVIET MILITARY ON THIS MATTER, IT IS JUST POSSIBLE THAT VOITOV IS GIVING POSITION OF MILITARY AUTHORITIES IN POTSDAM, WHO HAVE IMMEDIATE RESPONSIBILITY FOR SOVIET ROLE AT SPANDAU, BUT THAT EMBASSY HAS NOT YET BEEN BROUGHT INTO PICTURE. DEPENDING ON NATURE OF SOVIET REACTION TO CONFIDENTIAL

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PROTOCOL OFFICER DEMARCHE, WE WILL BE MAKING URGENT RECOMMENDATION AS TO WHETHER TO: A) AGREE TO POSTPONEMENT FOR FEW DAYS OF SECOND STAGE OF TESTS: B) RETURN QUESTION TO HIGHER POLITICAL CHANNELS: OR C) CARRY OUT TESTS ON SEPTEMBER 10 AS AGREED QUADRIPARTITELY AUGUST 31. KLEIN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 07 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BERLIN01562
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS KLEIN
Errors: N/A
Film Number: n/a
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730950/aaaabkjd.tel
Line Count: 160
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A. BERLIN 1543
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Aug-2001 by kelleyw0>; APPROVED <19 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HESS MEDICAL EXAMINATION
TAGS: PGOV, PFOR, WB
To: n/a
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005